



Talbot County, Maryland



Easton, Maryland

MINUTES

March 25, 2014

Present – President Corey W. Pack, Vice President Laura E. Price, Dirck K. Bartlett, Thomas G. Duncan, R. Andrew Hollis, Acting County Manager Clay B. Stamp, County Attorney Michael Pullen and Staff Attorney Tony Kupersmith.

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, March 25, 2014.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, March 11, 2014.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of March 18, 2014 and March 25, 2014.
- IV. Eligible for Vote:

Bill No. 1259, A BILL TO AMEND CHAPTER 190 OF THE *TALBOT COUNTY CODE* TO ALLOW COTTAGE INDUSTRY AS AN ACCESSORY, SECONDARY USE TO A RESIDENTIAL USE IN THE AC, CP, WRC, RC, TC, VC1, VC2, VC ZONING DISTRICTS AND TO REQUIRE MAJOR SITE PLAN APPROVAL AND BIENNIAL USE CERTIFICATES, was read into the record; the legislation and the amendment were then brought forward for vote. Prior to the vote, Mary Kay Verdery, Assistant Planning Officer, stated that the legislation would allow Cottage Industry as an accessory use instead of a Special Exception to a residential use by requiring major site plan approval and biennial use certificates, as recommended by the Planning Commission. She stated that the accessory use status would allow applicants an opportunity to request a variance from specific standards through the Board of Appeals. She stated that at the public hearing held in February, staff had recommended an amendment to Bill No. 1259 which would address inconsistencies between the definition of “Bulk Requirements” in § 190-208. *Terms Defined.* and § 190-182. *Variances.* Subsection A.(3) of the Talbot County Code; the amendment to Bill No. 1259 had been introduced by Mr. Hollis, Mr. Pack, and Ms. Price and the Council had remanded the amendment to the Planning Commission for a recommendation. Council had requested that the Commission consider holding a Special Meeting for the purpose of reviewing the amendment. Ms. Verdery stated that the Planning Commission had held a Special Meeting on Wednesday, March 19, 2014 for the purpose of making a recommendation on the proposed amendment, and had by a vote of 4 – 0, recommended that Council approve the amendment with a change (blue amendment) that limits the variance to the Cottage Industry only and that a variance may not be granted for density, minimum lot width requirements, and, except for cottage industries, minimum lot size. She stated that the Planning Commission also amended the definition of “Bulk Requirements” to add Cottage Industry only to be included for a minimum lot size variance. Ms. Verdery stated that following the public hearing, an issue had also arisen with regard to the use certificate for existing cottage industries previously approved by a Special Exception. She stated that the Planning Commission, by a vote of 4 – 0, had made a recommendation (purple amendment) to the Council that for continued operation of a Cottage Industry, staff shall conduct a site inspection to ensure compliance with the terms and conditions of the original approval, including any amendments, as a condition of renewal and a condition of the use certificate. Council discussion ensued with Ms. Verdery and the public was offered an opportunity to comment on the legislation and the proposed amendments. The green amendment, introduced on February 25, 2014 was

then brought forward for vote. Mr. Pullen advised that vote on the green amendment be postponed until after the vote on the blue amendment since the blue amendment amends the green amendment. The blue amendment was then introduced by Mr. Bartlett, Mr. Duncan, Mr. Hollis, Mr. Pack, and Ms. Price. Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council approved the blue amendment by voting 5 – 0 as follows:

Mr. Pack –Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

The purple amendment was introduced by Mr. Bartlett, Mr. Duncan, Mr. Hollis, Mr. Pack and Ms. Price. Upon motion by Mr. Hollis, seconded by Ms. Price, the Council approved the purple amendment by voting 5 – 0 as follows:

Mr. Pack –Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

On the advice of Mr. Pullen, the Council tabled the green amendment.

Bill No. 1259, as amended, was brought forward for vote. Upon motion by Ms. Price, seconded by Mr. Duncan, the Council approved Bill No. 1259, as amended, by voting 5 – 0 as follows:

Mr. Pack –Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

Bill No. 1259, as amended, becomes effective as provided for in the legislation.

V. County Manager's Report:

A. Talbot County Representative to the State of Maryland Critical Area Commission – Requested Council approval to forward the names of Langley Shook and Charles Goebel to the Governor for consideration of appointment to the State of Maryland Critical Area Commission as the Talbot County representative. Upon motion by Mr. Duncan, seconded by Ms. Price, the Council approved forwarding the names to the Governor for consideration by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

- B. Talbot County Board of Appeals - Requested Council approval for the appointment of Frank Cavanaugh and Louis W. Dorsey, Jr. to three-year terms as alternates on the Talbot County Board of Appeals; said terms will expire on February 11, 2017. Upon motion by Mr. Hollis, seconded by Mr. Bartlett, the Council approved the appointments by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan - Aye

- C. Talbot County Economic Development Commission – Requested Council approval of the request of the Town of St. Michaels for the appointment of Deborah Renshaw as the Town’s representative on the Talbot County Economic Development Commission; said term will complete the expired term of Town of St. Michaels Commissioner Ann Borders and will expire on June 30, 2014. Upon motion by Mr. Hollis, seconded by Mr. Duncan the Council approved the appointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

- D. Talbot County Village Center Board – Requested Council approval for the appointment of Jack Thompson to a three year term on the Talbot County Village Center Board as a representative of the Village of Bruceville; said term will expire June 30, 2017. Upon Motion by Mr. Bartlett, seconded by Ms. Price, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

- E. Talbot County Village Center Board – Requested Council approval for the reappointment of Kirke Harper to a three-year term on the Talbot County Village Center Board as a representative of the Village of Claiborne; said term will expire on June 30, 2016. Upon motion by Bartlett, seconded by Mr. Duncan, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

- F. Talbot County Village Center Board – Requested Council approval for the reappointment of George Zachmann to a three-year term on the Talbot County Village Center Board as a representative of the Village of Neavitt; said term will expire on June 30, 2016. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council approved the reappointment by voting

5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

- G. Talbot County Village Center Board – Requested Council approval for the appointment of Edith (Bonnie) Somers to a three-year term on the Talbot County Village Center Board as a representative of the Village of Newcomb; said term will expire on June 30, 2017. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

- H. Talbot County Village Center Board – Requested Council approval for the appointment of Edythe Humphries to the Talbot County Village Center Board as a representative of the Village of Royal Oak; said term will complete the unexpired term of Stephan Luethy and will expire on June 30, 2015. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

- I. Talbot County Public Works Advisory Board – Requested Council approval for the appointment of William Anderson, II to a four-year term on the Talbot County Public Works Advisory Board as a representative of the 5th Election District, effective August 1, 2014; said term will expire on May 1, 2018. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

- J. Bid No. 14-05, GRASS CUTTING SERVICES – PARKS, BALL FIELDS AND LANDINGS - TALBOT COUNTY, MARYLAND (Area 1) – Requested Council approval of the recommendation of the Director of the Department of Parks & Recreation to award Bid No. 14-05 to the low bidder, Riverside Lawn Care, in the sum of \$20,239.00 and to award a back-up contract to the second lowest bidder, JR's Lawn Service, in the sum of \$21,955.00 in the event Riverside Lawn Care is unable to fulfill the contract. Upon motion by Mr. Hollis, seconded by Ms. Price, the Council approved the awards as recommended by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan - Aye

- K. Bid No. 14-06, GRASS CUTTING SERVICES – PARKS, BALL FIELDS AND LANDINGS - TALBOT COUNTY, MARYLAND (Area 2) – Requested Council approval of the recommendation of the Director of the Department of Parks & Recreation to award Bid No. 14-06 to the low bidder, Riverside Lawn Care, in the sum of \$18,980.00 and to award a back-up contract to the second lowest bidder, Four Seasons Lawn Care, in the sum of \$27,580.00 in the event Riverside Lawn Care is unable to fulfill the contract. Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council approved the awards as recommended by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

- L. Talbot County Department of Corrections Community Service Grant - Requested Council approval to submit a grant application to the Governor's Office of Crime Control and Prevention in the sum of \$46,000; if approved, the grant funding will be used to fund the Program Coordinator's position for the County's Community Service Program which provides alternatives to incarceration. Upon motion by Mr. Duncan, seconded by Mr. Hollis, the Council approved submittal of the grant application by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price- Aye
Mr. Duncan - Aye

- M. Free Household Hazardous Waste Disposal Drop-off and Electronics Recycling Day – Mr. Stamp stated that Maryland Environmental Service will be hosting a free household hazardous waste disposal drop-off, latex paint recycling and electronics recycling day for residents of Caroline, Kent, Queen Anne's and Talbot counties. The event will take place on Saturday, April 5, 2014 from 8:00 a.m. to 2:00 p.m., rain or shine, at the Queen Anne's County Department of Public Works facility located at 312 Safety Drive in Centreville. Additional information may be obtained by contacting Maryland Environmental Service at 1-800-476-2925 or the Talbot County Department of Public Works at 410-770-8170.

VI. Council Comments:

Mr. Duncan – No comments.

Ms. Price - Ms. Price extended condolences to the friends and family of Ruth Buescher, whom she described as an activist in the community and a proud Republican woman. She stated that she was proud to have known Ms. Buescher.

Mr. Bartlett – No comments.

Mr. Duncan - No comments

Mr. Hollis- No comments.

Mr. Pack - Mr. Pack commended Habitat for Humanity – Choptank, and Executive Director Nancy Andrew for, in his opinion, the marvelous work they do to assist individuals move into affordable housing. He stated that three families had just moved into new housing on Port St. Mr. Pack again congratulated Habitat for the continued work they do to address affordable housing in Talbot County. Mr. Bartlett stated that Habitat for Humanity – Choptank is holding a fundraiser at the Avalon Theatre at 7:00 p.m. on Saturday, April 5, 2014 which features *The Capital Steps*. Mr. Pack encouraged everyone to attend to support the efforts of the organization.

VII. Upon motion by Mr. Bartlett seconded by Ms. Price, the Council voted to adjourn to Executive Session for discussion of legal, personnel, and real estate matters and to reconvene in Executive Session on Tuesday, April 8, 2014 at 12:30 p.m. for discussion of legal, personnel, and real estate matters, and at 1:30 p.m. in the regularly scheduled legislative session by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis– Aye
Mr. Bartlett - Aye
Ms. Price – Aye
Mr. Duncan – Aye

The meeting adjourned at 6:45 p.m.

The transcript of the March 25, 2014 County Council meeting is available for review in the Office of the County Manager during regular office hours.

VIII. On Tuesday, March 25, 2014, an Executive Session of the Talbot County Council convened at 5:10 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Duncan, seconded by Ms. Price, the Council met in Executive Session by voting 5 – 0 as follows:

Mr. Bartlett – Aye
Mr. Duncan – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Aye

In accordance with State Article § 10-508 (a)(1)(i)(3)(7)(8) the purpose of the Executive Session was for personnel matters to discuss appointments to various County boards and committees; for a legal matter for legal advice regarding potential litigation; and for a real estate/legal matter to discuss negotiations for the sale of County property. The Executive Session recessed at 6:00 p.m. and reconvened at 7:25 p.m. The Executive Session ended at 7:50 p.m.

CASH STATEMENT 3/18/2014

BALANCE 3/11/2014		\$30,080,096.07
BANK CHGS 2/2014		(1,292.84)
INTEREST ON ACCT 2/2014		4,645.44
STATE REPORT 2/2014		(109,586.85)
UHC CLAIMS THRU 3/11/2014		(33,345.36)
WILMINGTON TRUST/TAL CO MD AIRPORT FAC BOND		(38,975.00)
PI/RETURNED CHECK		(40.00)
PAYROLL – FD/SS/MS WH 3/14/2014		(124,802.55)
SECU DED		(7,115.05)
DEFERRED COMP DED		(10,663.49)
MD WH		(30,893.42)
PENSION DED		(30,044.34)
ACH TRANSFER		(9,731.75)
FLEX SPENDING ACCT		(2,818.70)
DEPOSITS		1,239,491.23
CHECKS		(764,752.32)
VOID CHECK NO. 284911		2,914.73
BALANCE 3/18/2014		<u>30,163,085.20</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS		--
AIP37		303.68
AIP39		--
AIRPORT ACCOUNTS TOTAL BALANCE		<u>303.68</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.06%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$8,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$48,171,959.48</u>

CASH STATEMENT 3/25/2014

BALANCE 3/18/2014		\$30,163,085.80
UHC CLAIMS THRU 3/18/2014		(229,099.59)
RETURNED CHECK		(135.00)
DEPOSITS		380,985.64
CHECKS		(409,082.18)

VOID CHECK NO.S 289755, 289932,289934,289962, 289986,289990,290010,290011

BALANCE 3/25/2014			<u>29,909,281.90</u>
<u>AIRPORT ACCOUNTS</u>			
AIP-RUNWAY 4-22 EXTENSION ANALYSIS			--
AIP37			303.68
AIP39			--
AIRPORT ACCOUNTS TOTAL BALANCE			<u>303.68</u>
INVESTMENTS – CERTIFICATES OF DEPOSIT			
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.06%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$8,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$47,918,155.58</u>